

# Notice of Allowability

Application No.

09/904,747

Examiner

Angel R. Estrada

Applicant(s)

WIDMAN, JAY E.

Art Unit

2831

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed on April 13, 2004 and the Telephone Interview held on June 22, 2004.
2. ☒ The allowed claim(s) is/are 1,5-13 and 15-27.
3. ☒ The drawings filed on 13 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)               |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>0604</u> |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                       |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance      |
|  | 9 <input type="checkbox"/> Other   |

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul R. Morico and Thomas M. Morrow on June 22, 2004.

**IN THE CLAIMS**

A) Amend claim 1 as follow:

1. (Currently Amended) A sealed conduit system, comprising: (a) a metal conduit having at least one end; (b) a housing having an inner chamber and an outer surface; (c) at least one free running hub coupled to said housing and the at least one end of said metal conduit, and (d) a flexible membrane disposed within said at least one free running hub[.] ; and (e) a spring-loaded ball type valve adapted to purge any air, other gases or moisture, which may be trapped within the inner chamber of the housing.

B) Delete claims 2-4 and <sup>14</sup>~~13~~.

C) Amend claim 6 as follow:

6. (Currently Amended) A sealed conduit system [according to claim 5, wherein] ,  
comprising: (a) a metal conduit having at least one end; (b) a housing having an inner  
chamber and an outer surface; (c) at least one free running hub coupled to said housing  
and the at least one end of said metal conduit; and (d) a flexible membrane disposed  
within said at least one free running hub; wherein: the housing is defined by a mid-  
section, which is substantially cylindrically shaped, and two free running hubs are  
disposed on, and mounted to, opposite ends of the mid-section; and the free running  
hubs are partially conical in shape and have an inside surface, which has a first set of  
female threads formed thereon for mating with the ends of the metal conduit.

D) Amend claim 12 as follow:

12. (Currently Amended) A sealed conduit system [according to claim 1],  
comprising: (a) a metal conduit having at least one end; (b) a housing having an inner  
chamber and an outer surface; (c) at least one free running hub coupled to said housing  
and the at least one end of said metal conduit; and (d) a flexible membrane disposes  
within at least one free running hub; wherein the flexible membrane is generally disk-  
shaped, formed of neoprene and has at least one opening for accommodating one or  
more cables.

E) Amend claim 13 as follow:

13. (Currently Amended) A method of sealing a metal conduit, comprising the steps of: (a) coupling a sealing apparatus comprising a housing having an inner chamber and an outer surface, at least one free running hub having an inner surface, and a flexible membrane disposed within the at least one free running hub to at least one end of the metal conduit; (b) threading any wires or cables contained within said metal conduit through said flexible membrane; and (c) filling the inner chamber with a polyurethane-based epoxy sealant compound[.] ; and (d) releasing, through a spring-loaded ball type valve, any air, other gases, or moisture, which may be trapped in the inner chamber after it is filled with the epoxy sealant compound.

F) Add the following new claims:

21.(New) A sealed conduit system according to claim 6, further comprising a polyurethane-based epoxy sealant compound disposed within said inner chamber.

22.(New) A sealed conduit system according to claim 21, wherein the polyurethane –based epoxy sealant compound comprises a polymer and a monomer

23.(New) A sealed conduit system according to claim 6, wherein the housing is formed of an aluminum alloy.

24.(New) A sealed conduit system according to claim 12, wherein the housing is defined by a mid--section, which is substantially cylindrically shaped, and two free running hubs are disposed on, and mounted to, opposite ends of the mid-section.

25.(New) A sealed conduit system according to claim 12, further comprising a polyurethane-based epoxy sealant compound disposed within said inner chamber.

26.(New) A sealed conduit system according to claim 25, wherein the polyurethane –based epoxy sealant compound comprises a polymer and a monomer.

27.(New) A sealed conduit system according to claim 12, wherein the housing is formed of an aluminum alloy.

***Allowable Subject Matter***

2. Claims 1, 5-13 and 15-20 are allowed.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 1, 5-13 and 15-20 are:

Regarding claims 1, 5 and 9-11, the prior art does not teach or fairly suggest in combination with the other claimed features a spring-loaded ball-type valve adapted to purge any air, other gases or moisture, which may be trapped within the inner chamber of said housing.

Regarding claims 6-8 and 21-23, the prior art does not teach or fairly suggest in combination with the other claimed features the free running hubs having a first set of female threads formed thereon for mating with the ends of the metal conduit.

Regarding claims 12 and 24-27, the prior art does not teach or fairly suggest in combination with the other claimed features the flexible membrane being a generally disk-shaped, formed of neoprene and having at least one opening for accommodating

Art Unit: 2831

one or more cables.

Regarding claim 13 the prior art does not teach or fairly suggest in combination with the other claimed features the step of releasing, through a spring-ball type valve any air, other gases, or moisture, which may be trapped in the inner chamber after it is filled with the epoxy compound.

Regarding claims 15-20, the prior art does not teach or fairly suggest in combination with the other claimed features at least one free running hub having a first coupling comprising a first set of female threads formed on said inner surface form mating with the at least one end of the metal conduit

This limitation is found in claims 15-20, and is neither disclosed nor taught by the prior art of record, alone or in combination

These limitations were found in claims 1, 5-13 and 15-20, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

3. Applicant's arguments with respect to claim 4 submitted during the telephone conversation held on June 22, 2004 are persuasive.

In response to the applicant's argument the Examiner agrees that neither Cameron (US 5,560,655) nor the cited prior art disclose, teach or suggest a spring-loaded ball type valve adapted to purge any air, other gases or moisture, which may be trapped within the inner chamber of the housing. Cameron's valve is a one-way valve that permits injection of a lubricant into the central bore 15 but automatically closes to prevent reverse flow of lubricant outwardly through the fitting 11, while the spring loaded ball type valve is a valve that permits fluids to come out of the sealed conduit system as described on page 7 lines 1-6 in the applicant's specification.

4. Applicant's arguments with respect to claims 6-8 and 15-20 filed in the appeal brief on April 13, 2004 have been considered and they are persuasive.

In response to the argument the Examiner agrees that neither the combination of Uber (US 1,824,642) and Hutchison (US 4,301,325) <sup>nor</sup> ~~not~~ the cited prior art discloses a free running hub having a first set of female threads formed thereon for mating with the ends of a metal conduit. DR 6/24/04

***Conclusion***

5. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached

Art Unit: 2831

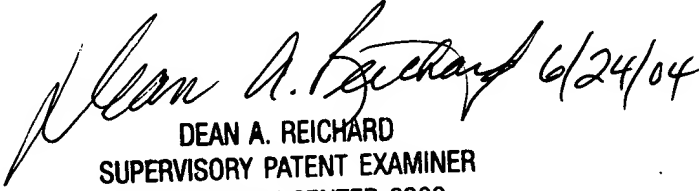
on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Angel R. Estrada

June 23, 2004

 6/24/04  
DEAN A. REICHARD  
SUPERVISORY PATENT EXAMINER  
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